

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2011-094248

07/24/2012

HON. MARK F. ACETO

CLERK OF THE COURT  
M. Scott  
Deputy

GREGORY SIMS

FRANCIS G FANNING

v.

PINNACLE SOUTHWEST L L C, et al.

PINNACLE SOUTHWEST L L C  
NO ADDRESS ON RECORD

JOHN L BLANCHARD  
SHERENE MCLEMORE  
NO ADDRESS ON RECORD  
JAMES MCLEMORE  
NO ADDRESS ON RECORD

MINUTE ENTRY

In this case, Plaintiff and Defendants CBR and Tope entered into a settlement agreement. Pursuant to this agreement on April 13, 2012, the Court entered judgment dismissing Plaintiff's claims against Defendants CBR and Tope.

On April 23, 2012, through a Minute Entry Order, the Court awarded fees to Defendants Tope based on a fee application filed long before the parties' settlement. On April 27, 2012, Plaintiff filed a "Motion to Amend Judgment". No response has been filed. Through the "Motion to Amend Judgment", Plaintiff simply seeks an order vacating the Court's fee award of April 23, 2012.

**IT IS ORDERED** granting Plaintiff's "Motion to Amend Judgment".

More specifically,

**IT IS ORDERED** vacating the above referred to fee award to Defendants Tope.

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The Court has granted the “Motion to Amend Judgment” for two separate reasons. First, the Court takes Defendants failure to file the required answering memorandum as consent to the granting of the motion. Second, the motion is meritorious.

/ s / HON. MARK F. ACETO

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JUDICIAL OFFICER OF THE SUPERIOR COURT

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.